

4-2

PATENT
Attorney Docket No.: SALK2150
(088802/4901)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Doucas and Evans

Application No.: 08/975,272

Filing Date: November 21, 1997

For: METHOD FOR THE IDENTIFICATION
AND USE OF SUBSTANCES THAT
MODULATE POD FUNCTION AND/OR
STRUCTURE (As amended)

Group Art Unit: 1631

Examiner: J. Brusca

Batch No.: G78

CERTIFICATION

I hereby certify that the documents referred to as enclosed herein
are being sent via Federal Express for next business day delivery
to: Assistant Commissioner for Patents, Washington, D.C.
20231, c/o Examiner John S. Brusca, 1911 S. Clark St., 7th Floor
Reception, Arlington, VA 22202

Joy Day
Name of person mailing paper

Joy Day
Signature

November 16, 2001
Date

jc997 U.S. PTO
109/990255
11/20/01

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OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. § 1.183 TO SUSPEND THE RULES AND
WAIVE THE REQUIREMENTS OF 37 C.F.R. § 1.64

Sir:

Pursuant to 37 C.F.R. § 1.183, it is hereby petitioned to waive the requirement under 37 C.F.R. § 1.64 that each of the actual inventors execute the oath or declaration being filed, with respect to Vassilis Doucas, the now non-signing, but originally signing inventor. This petition is being filed concurrently with a petition to add an inventor to the above-identified application.

Included as attachments in support of this petition are the following:

(1) A petition to correct inventorship under 37 C.F.R. § 1.48(a). Exhibit A

(2) A statement from Didier P. Trono clarifying that this error in inventorship occurred without deceptive intention on his part. Exhibit B

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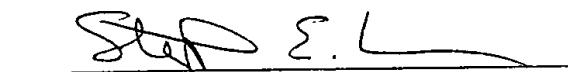
OFFICE OF PETITIONS

- (3) A declaration signed Didier P. Trono supporting the petition under 37 C.F.R. § 1.48(a). Exhibit C
- (4) A declaration signed Ronald M. Evans supporting the petition under 37 C.F.R. § 1.48(a). Exhibit D
- (5) Summary of selected correspondence between Applicants' representatives and non-signing inventor Vassilis Doucas, establishing that the signature of this uncooperative inventor could not be obtained notwithstanding diligent effort.
Exhibit E
- (6) The written consent of the Assignee consenting to the petition under 37 C.F.R. § 1.48(a). Exhibit F
- (7) The \$130.00 petition fee required by 37 C.F.R. § 1.17(h).

Applicants respectfully request that this Petition be granted. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this Petition can be achieved. If any additional fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0872.

Respectfully submitted,

Date: November 15, 2001



Stephen E. Reiter
Registration No. 31,192
Telephone: (858) 847-6711
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Foley & Lardner
P.O. Box 80278
San Diego, CA 92138

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Stephen E. Reiter
Name of person mailing paper

November 16, 2001
Signature Date

Commissioner for Patents
Washington, D.C. 20231

PETITION TO CORRECT INVENTORSHIP
UNDER 37 C.F.R. § 1.48(a)

Sir:

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OFFICE OF PETITIONS

Pursuant to 37 C.F.R. § 1.48(a), it is hereby petitioned to add as an inventor to the above application, Didier P. Trono. Included as attachments in support of this petition are the following:

- (1) A statement from Didier P. Trono clarifying that this error in inventorship occurred without deceptive intention on his part. Exhibit B
- (2) A declaration signed Didier P. Trono supporting the petition under 37 C.F.R. § 1.48(a). Exhibit C

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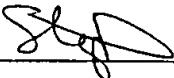
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- (3) A declaration signed Ronald M. Evans supporting the petition under 37 C.F.R. § 1.48(a). Exhibit D
- (4) The written consent of the Assignee to this addition to the inventorship. Exhibit F
- (5) The \$130.00 petition fee required by 37 C.F.R. § 1.17(i).

Applicants respectfully request that this Petition be granted. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this Petition can be achieved. If any additional fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0872.

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